

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE: '318 PATENT
INFRINGEMENT LITIGATION

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C.A. No. 05-356-KAJ
(consolidated)

**NOTICE OF DEPOSITION AND SUBPOENA OF
SOMERSET PHARMACEUTICALS PURSUANT TO
FEDERAL RULE OF CIVIL PROCEDURE 45**

PLEASE TAKE NOTICE that, pursuant to Rule 45 of the Federal Rules of Civil Procedure, plaintiffs Janssen Pharmaceutica N.V., Janssen, L.P. and Synaptech, Inc. (collectively, "Janssen") will take the deposition upon oral examination of Somerset Pharmaceuticals at the offices of Esquire Deposition Services, 101 East Kennedy Boulevard, Ste. 3350, Tampa, Florida, beginning at 10:00 A.M. on April 5, 2006.

NOTICE IS FURTHER GIVEN THAT the deposition will be recorded stenographically through instant visual display of testimony (real-time), by certified shorthand reporter and notary public or such other person authorized to administer oaths under the laws of the United States, and shall continue from day to day until completed. This deposition will be videotaped.

NOTICE IS FURTHER GIVEN THAT Somerset Pharmaceuticals is instructed to produce documents, identified in the attached Subpoena, at the offices of Esquire Deposition Services, 101 East Kennedy Boulevard, Ste. 3350, Tampa, Florida, by 10:00 A.M. on February 28, 2006.

NOTICE IS FURTHER GIVEN THAT pursuant to the Federal Rules of Civil Procedure, Janssen will serve upon Somerset Pharmaceuticals a Subpoena in a Civil Case. Attached hereto as Exhibit A is a true and correct copy of that Subpoena.

ASHBY & GEDDES

/s/ Tiffany Geyer Lydon

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Dated: February 21, 2006

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CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of February, 2006, the attached **NOTICE OF DEPOSITION AND SUBPOENA OF SOMERSET PHARMACEUTICALS PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 45** was served upon the below-named counsel of record at the address and in the manner indicated:

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/s/ Tiffany Geyer Lydon

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